

Claims 1-7 are rejected under 35 U.S.C. 102(e) over U.S. Patent 6,608,563 to Weston et al. Applicants traverse the rejection for at least the following reasons.

Applicants' invention is directed to a method of offering imaging services to a customer, and includes recording a seating location of the customer inputted by the customer. Images of the customer at the seating location are taken based on the information inputted by the customer. Additionally, images of the participants in the entertainment event the customer is watching are taken.

Weston et al. discloses providing a customer with a unique tag, which the customer must scan once in a position at which the customer must have his photo taken in the entertainment facility to fulfill the customer's selected image package. The photo for customer's package is not taken unless it is confirmed the customer is in the location by scanning of the customer's unique tag.

In contrast, Applicants claim a method wherein the customer, after selection of a package and inputting his/her assigned seating location (based on the event ticket), is a passive participant in the imaging process. Images are taken of the designated seat, as indicated at page 3 of the Office Action, "making it the customer's responsibility to be in his seat at that time (page 9 line 28 through page 10 line 2)." As correctly understood by the Patent Office, the imaging system is engaged to image the customer's designated seating location regardless of the customer's actual location, as well as separately imaging the event the customer is watching from his/her seated location.

In contrast, as also apparently understood by the Patent Office, Weston et al. discloses that the customer must verify his location, and must move to various locations within the event area in order to fulfill the order process. See col. 5, lines 6-39. The customer in Weston et al. is not in a pre-designated seated location for imaging.

Applicants note the Patent Office indicates at page 4 of the Office Action that col. 5, lines 6-39, of Weston et al. teaches "said information code including at least information on the selected imaging service and information inputted by the customer on a seating location of the customer at the entertainment event." However, this is clearly not taught, because the paragraphs in Weston et al. clearly describe the system telling a customer, or guest, when in their movements

throughout the entertainment event they must pose for a photograph. No photographs or images are linked to any predesignated seated location of the customer. Rather, the customer must move to predesignated locations provided by the imaging system.

Weston et al. clearly does not disclose or suggest every feature of the claimed invention. In particular, Weston et al. does not disclose or suggest that a customer inputs a seating location, or that images are taken of the customer at the inputted seating location, as well as of the event the customer is watching from the seated location. For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1-7 under 35 U.S.C. 102(e) are in order, and are respectfully requested.

Claims 8-15 are rejected under 35 U.S.C. 103(a) over U.S. Patent 5,469,536 to Blank in view of U.S. Patent 6,532,345 to Gluck, and further in view of U.S. Patent Application Publication 2002/0085762 A1 to Shniberg et al. Claim 16 is rejected under 35 U.S.C. 103(a) over U.S. Patent 5,469,536 to Blank in view of U.S. Patent 6,532,345 to Gluck, and further in view of U.S. Patent 6,473,739 to Showghi et al. Applicants traverse the rejections for at least the following reasons.

According to the Patent Office at page 8 of the Office Action, Blank fails to disclose or suggest at least: 1) a customer entering a specific seating location; 2) taking images of both participants in the event and the customer at the entered seating location; 3) selecting an imaging service prior to or during the event; and 4) directing images to be taken of the specified seating location of the customer.

Gluck is directed to an imaging system at an event wherein the imaging system takes images of the participants in the event, and takes pictures of sections of the customers or viewers. As stated at col. 4, lines 57-63, the sector is chosen to allow a single image to be taken such that the image clearly shows the faces of substantially all spectators in the defined section. The images are taken automatically during the event. As described at col. 6, line 48, - col. 7, line 18, the spectator can purchase assembled souvenirs created by vendors using the images. The spectator has little control over the form of the souvenir. The spectator does not order the image to be taken, and

instead only has a choice of purchasing or not purchasing an image he/she did not request to be taken.

Gluck does not overcome the deficiencies of Blank because Gluck does not disclose or suggest at least: 1) a customer entering a specific seating location; 2) taking images of the customer at the entered seating location (Gluck takes an image of a sector); 3) selecting an imaging service prior to or during the event; and 4) directing images to be taken of the specified seating location of the customer.

Schniberg et al. discloses providing a customer at an event with an event ticket including a spectator indicator to be worn by the customer during the event. Photographs of the spectators wearing such indicators can be made and shared via the internet, or printed and sold to the spectator after the event. Schniberg et al. does not disclose or suggest a customer entering a specific seating location into a system; selecting an imaging service prior to or during the event; or the customer directing images to be taken of the customer at a specified seating location. Thus, Schniberg et al. does not disclose or suggest all the features of the claimed invention, and does not overcome the deficiencies of Blank, Gluck, or the combination thereof.


Showghi et al. discloses a wireless system by which spectators at an event may order food, drinks, souvenirs, or services. There is no mention of using such a system to take an image of the spectator. Showghi et al. does not disclose or suggest at least taking images of the customer at an entered seating location; selecting an imaging service prior to or during the event; or directing images to be taken of the specified seating location of the customer. Thus, Showghi et al. does not disclose or suggest all the features of the claimed invention, and does not overcome the deficiencies of Blank, Gluck, or the combination thereof.

None of the cited references, in any combination, disclose or suggest at least selecting an imaging service prior to or during the event; or a customer directing images to be taken of the customer at a specified seating location. For at least the above reasons, reconsideration and withdrawal of the rejections of claims 8-16 under 35 U.S.C. 103(a) are in order, and are respectfully requested.

All of claims 1-16 being in condition for allowance for at least the above reasons, reconsideration and prompt action in the form of a Notice of Allowance are respectfully solicited.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 40,101

Kathleen Neuner Manne/kjw
Rochester, NY 14650
Telephone: 585-722-9225
Facsimile: 585-477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.